

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No. 3518.1014-000

First Named Inventor or Application Identifier Daniel H. Kim

Express Mail Label No. EV214950139US

U.S. PTO
22581 10/808687
22581 10/808687

032504
032504

Title of Invention

SURGICAL RETRCTOR POSITIONING DEVICE

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

1. <input checked="" type="checkbox"/> Fee Transmittal Form <i>(Submit an original, and a duplicate for fee processing)</i>	6. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
2. <input checked="" type="checkbox"/> Specification Total Pages [20] <i>(preferred arrangement set forth below)</i>	a. <input type="checkbox"/> Computer Readable Form
- Descriptive title of the invention	b. <input type="checkbox"/> Paper Copy (identical to computer copy)
- Cross References to Related Applications	[] Pages
- Statement Regarding Fed sponsored R & D	c. <input type="checkbox"/> Statements verifying identity of above copies
- Reference to sequence listing, a table, or a computer program listing appendix	
- Background of the Invention	
- Brief Summary of the Invention	
- Brief Description of the Drawings <i>(if filed)</i>	
- Detailed Description	
- Claim(s)	
- Abstract of the Disclosure	
3. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) Total Sheets [16] [X] Fig. of the Drawings for Publication [FIG. 2] [] No Figure to be Published	7. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & documents) [X] Assignee - DePuy Spine, Inc. Raynham, Massachusetts
4. <input checked="" type="checkbox"/> Oath or Declaration Total Pages [2]	8. <input type="checkbox"/> Power of Attorney <input type="checkbox"/> 37 C.F.R. 3.73(b) Statement
a. <input checked="" type="checkbox"/> Newly executed (original or copy)	9. <input type="checkbox"/> English Translation Document <i>(if applicable)</i>
b. <input type="checkbox"/> Copy from a prior application (37 C.F.R. 1.63(d)) <i>(for continuation/divisional with Box 17 completed)</i>	10. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input checked="" type="checkbox"/> Copies of IDS Citations
i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b).	11. <input type="checkbox"/> Preliminary Amendment
5. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program <i>(Appendix)</i>	12. <input checked="" type="checkbox"/> Return Receipt Postcard
	13. <input type="checkbox"/> Small Entity Statement(s)
	14a. <input type="checkbox"/> Foreign Priority Claim under 35 U.S.C. §119 or 365
	14b. <input type="checkbox"/> Certified Copy of Priority Document(s)
	15. <input type="checkbox"/> Nonpublication Request <i>(check parent application)</i>
	16. <input type="checkbox"/> Other _____

17. If a **CONTINUING APPLICATION**, check appropriate box; supply the requisite information.

Continuation Divisional Continuation-in-part (CIP) of prior application No.:

Prior application information: Examiner: Group Art Unit:

The entire disclosure of the prior application is considered a part of the disclosure of the accompanying application and is hereby incorporated by reference.
(Add standard Related Applications section with incorporation by reference to specification or update same)

18. CORRESPONDENCE ADDRESS

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Signature	<i>Erik Ence</i>	Date	March 25, 2004
Submitted by Typed or Printed Name	Erik L. Ence	Reg. Number	42,511

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

22700 U.S.P.T.O.
032504

FEE TRANSMITTAL FOR PATENT APPLICATIONS	Attorney Docket Number	3518.1014-000
	Application Number	
	First Named Inventor	Daniel H. Kim

CLAIM CALCULATION (includes any preliminary amendment)

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	37 - 20* =	17	x \$ 18 =	\$ 306
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	5 - 3** =	2	x \$ 86 =	\$ 172
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 290 =	\$
				BASIC FEE (37 CFR 1.16(a) or (h))	\$ 770
				Total of above Calculations =	\$ 1248
	Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =			\$	
				TOTAL =	\$ 1248
	Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =			\$	
	Petition for Extension of Time Fee (37 C.F.R. 1.17) =			\$	
	Assignment Recordation Fee = (only when filed with application)			\$ 40	
				[Other]	\$
	* Reissue claims in excess of 20 and over original patent ** Reissue independent claims over original patent			TOTAL =	\$ 1288

1. Small entity status:
 - A small entity statement is enclosed.
 - A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
 - Is no longer claimed.
2. A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.
3. A check is enclosed for \$1,288.00. Please charge \$[] to Deposit Account No. 08-0380.
4. Other: _____

Signature	<i>Erik Ence</i>	Date	March 25, 2004
Submitted by Typed or Printed Name	Erik L. Ence	Reg. Number	42,511